IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEON ALLEN and :

LAWRENCE WILLIAMS,

Plaintiffs, : CIVIL ACTION

.

v. : : NO. 08-1080

DISTRICT ATTORNEY'S OFFICE
OF PHILADELPHIA, PETER DAILEY,
ROBERTITO FONTAN, JOSEPH
GEORGE, RICHARD T. GRAMLICH,
LEWIS B. PALMER, KAREN

HEYWARD, JOHN MCCONNELL, JOHN DOE, and RICHARD ROE

:

Defendant. :

ORDER

AND NOW, this 3rd day of August, 2009, upon consideration of Defendants' Motion for Summary Judgment, Plaintiffs' Response to Defendants' Motion for Summary Judgment it is determined that Defendants' Motion in GRANTED IN PART and DENIED IN PART. Regarding Plaintiffs' Fourth Amendment claim, Defendants' actions do not merit qualified immunity. As such, summary judgment is denied as to this claim. Regarding, Plaintiffs' state law claim, summary judgment is granted and Plaintiff's state law claim is dismissed.

Further, the District Attorney's Office of Philadelphia is **DISMISSED** as a party. **IT IS SO ORDERED.**

BY THE COURT:

s/Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.